


Court finds, however, that Plaintiff has made no such threshold demonstration of exceptional circumstances. Given that the Court's dismissal was without prejudice, Plaintiff is free to refile his case. Accordingly, Plaintiff's motion to reopen (Docket No. 13) will be denied.

An appropriate Order shall issue.

 _____ /s/ Henry E. Hudson United States District Judge
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Date: June 2, 2008
Richmond, Virginia